

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 3836

IN THE MATTER OF:

Served October 29, 1991

Application of MIJU EXPRESS, INC., )  
for Temporary Authority -- )  
Irregular Route Operations : )

Case No. AP-91-35

By application filed October 21, 1991, Miju Express, Inc. (Miju or applicant), seeks temporary authority to transport passengers, together with baggage in the same vehicle as passengers, in irregular route operations between points in the Metropolitan District.

Applicant proposes to conduct operations using a 1990, 20-passenger "mini-coach." The proposed tariff provides for a charter rate of \$45 an hour, or portion thereof, from March through October and \$40 an hour, or portion thereof, from November through February. These rates are calculated from the time the vehicle leaves the applicant's garage to the time it returns. There is a minimum charge of four hours at the hourly rate. The proposed tariff also provides for a flat transfer charge of \$150 to \$180, depending on the origination and destination points, plus a waiting time charge of \$45 an hour, or portion thereof, for transfers departing more than 30 minutes late.

Miju supports its application with the notarized affidavit of Young S. Kim, owner of Washington U.S. Tours, a Miju affiliate.<sup>1</sup> Mr. Kim avers that issuance of temporary authority to Miju is important to assure continuity of service for tour groups booked through Washington U.S. Tours.

Miju also has applied for a certificate of authority for irregular route operations in Case No. AP-91-36.

The standards for temporary authority are set forth in the Compact at Title II, Article XI, Section 13. The essential elements are (1) an immediate need for service, (2) no carrier available to meet such need, and (3) fitness of the applicant. See Order No. 2864, served May 23, 1986; Order No. 2857, served May 12, 1986; and Order No. 1643, served January 24, 1977.

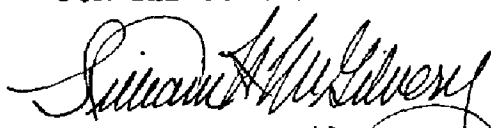
This order will provide notice of Miju's application for temporary authority, and a brief period will be provided for the filing of protests, if any. No extension of time will be granted. The application is available for inspection at the office of the Commission during its regular business hours.

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<sup>1</sup> Mr. Kim also is the president and majority shareholder of Miju. Washington U.S. Tours is a past applicant for WMATC authority but not a current certificate holder. See Order No. 2712, served June 6, 1985.

THEREFORE, IT IS ORDERED that any person desiring to protest this application shall file a protest in accordance with Commission Rule No. 13 and Regulation No. 54-04(a) at the office of the Commission, 1828 L Street, N.W., Suite 703, Washington, DC 20036-5104, no later than Wednesday, November 13, 1991, and shall simultaneously serve a copy of such protest on applicant's representative, Jeremy Kahn, Esquire, Suite 702, 1726 M Street, N.W., Washington, DC 20036.

FOR THE COMMISSION:



William H. McGilvery  
Executive Director